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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

PHARMACEUTICAL RESEARCH AND  
MANUFACTURERS OF AMERICA and  
BIOTECHNOLOGY INNOVATION  
ORGANIZATION,

Plaintiffs,

vs.

BRIAN SANDOVAL, in his official capacity  
as Governor of the State of Nevada;  
RICHARD WHITLEY, in his official capacity  
as Director of the Nevada Department for  
Health and Human Services; and the  
NEVADA LEGISLATURE,

Defendants.

Case No.: 2:17-cv-02315-JCM-CWH

**STIPULATION AND ORDER  
(First Request)**

Plaintiffs Pharmaceutical Research and Manufacturers of America (“PhRMA”) and  
Biotechnology Innovation Organization (“BIO”) (together, “Plaintiffs”), and Defendants Brian

1 Sandoval, in his official capacity as Governor of the State of Nevada, Richard Whitley, in his official  
2 capacity as Director of the Nevada Department of Health and Human Services (collectively the  
3 “State”), and the Nevada Legislature (the “Legislature”), stipulate and agree as follows:

4 On September 1, 2017, Plaintiffs commenced this action seeking declaratory and injunctive  
5 relief pursuant to 42 U.S.C. § 1983, concerning Nevada Senate Bill No. 539 (“SB 539”). Plaintiffs  
6 and the Legislature have filed cross-motions for summary judgment, and those cross-motions are  
7 presently pending before the Court. The Legislature recently filed a Motion for Leave to Supplement  
8 the Summary Judgment Record (the “Motion”). Ecf. no. 86. Plaintiffs’ response to that Motion is  
9 currently due May 17, 2018. Plaintiffs, the State and the Legislature agree to an extension of time  
10 from May 17, 2018 to May 24, 2018 for Plaintiffs to respond to that Motion.

11 This extension is not sought for delay. This extension is a first request. The Motion seeks  
12 to supplement the summary judgment record with proposed regulations implementing SB 539. On  
13 May 16, 2018, the Legislative Commission of the Nevada Legislature is holding a meeting to  
14 consider the proposed regulations. The outcome of that meeting may have a bearing both on the  
15 content of and timing of completion for the regulatory process. Plaintiffs thus seek this one-week  
16 extension to May 24, 2018 to enable Plaintiffs to consider any impact the May 16 hearing may have

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on the proposed regulations before submitting their response to the Legislature's Motion.

Presented by:

/s/ Pat Lundvall

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*Attorney for Defendant Nevada Legislature*

It is SO ORDERED this 18 day of May, 2018.

  
UNITED STATES MAGISTRATE JUDGE